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hibition laws. The bill specifically provides that no collector of internal revenue shall receive any special tax from, nor issue any special tax receipt to, any liquor dealer, who does not exhibit a license or permit issued in accordance with the laws of the State or territory in which his trade or business is carried on. The dealer is required to register with the collector the date of his license or permit, the period for which it is issued, and the authority issuing the same.

Primary Elections. The supreme court of Illinois on October 2, 1907, declared the primary election law of that State unconstitutional (*Rouse v. Thompson*, 81 N. E., 1109). The law was enacted May 23, 1906, at a special session of the legislature called by Governor Deneen for that purpose, after the decision of the supreme court on April 5, 1906, which had declared the law of May 18, 1905, unconstitutional (*People v. Election Commissioners*, 221 Ill. 9, 77 N. E., 321). Thus in less than a year and a half the legislators of Illinois have suffered the humiliation of having two successive primary election laws, enacted by the same legislature, declared invalid, and partly for the same reasons.

The law of 1905 was declared invalid on the ground that it was a local and special law in that its provisions applied to Cook county in a manner different from that in which they applied to the rest of the State, and was, therefore, a violation of the provision of the Constitution of Illinois forbidding special legislation. The court also declared several specific sections to be in contravention of the constitution, among them being the provision which delegated to county central committees of political parties the power to determine whether candidates for county offices were to be chosen at such elections, and whether the selection of such officers was to be by plurality or majority vote. This position of the court assumes importance in the case recently decided, because a similar delegation of powers to county central committees is made the basis of the decision which overthrows the entire act. That it would have done so in the decision on the act of 1905 is evident if the court had not found a more important ground for its decision. The court declared in *People v. Election Commissioners*, mentioned above, that the "provision amounts to a delegation of legislative authority to county central committees to determine what the substantial features of the law shall be and is, therefore, void." The legislature at the special session of 1902 in trying to conform to the decision of the court ran upon one of the very rocks which the court had pointed out. The law delegated to county central committees the power to form "delegate districts" for the selection of delegates to party conventions, with restrictions upon

the size and form of the district. The court held this to be a delegation of legislative power, contrary to the constitution. It maintained that "if it can be delegated at all, it must be delegated to some body recognized as capable of receiving such authority * * * It is impossible to sustain a delegation of any sovereign power of government to private citizens or to justify their assumption of it." Several other sections were found also to be in contravention of the constitution, but the court believed they could be eliminated without doing violence to the act as a whole, but the entire act being dependent upon the provision relating to the power to form delegate districts and determine the manner of elections, must therefore fall with the unconstitutional provision in question, and hence, the entire act was declared to be void. Shortly after this decision the legislature met in its adjourned session which had been put over for the purpose of considering the proposition of a deep waterway from Lake Michigan to the Mississippi river. The action of the court threw upon them the unexpected duty of providing a new primary election law in case they should not be willing to return to the system prevailing prior to 1905. The people of Illinois have been strongly in favor of direct primary legislation and a strenuous effort was made in the house of representatives at the session of 1907 to pass a direct primary law for cities. The effort failed through the unfavorable organization of the house. The provisions of the proposed Chicago charter, which gave a direct primary system to that city, went down in the legislature before the opposition of the political leaders. The legislature at the adjourned session in October, being under the moral necessity of providing some kind of a primary law, took up the consideration of the subject. The house of representatives passed a direct primary bill. This was amended in important particulars in the senate and the house refused to accept the amendments. A conference reported a compromise with an emergency clause, but it failed in the house to receive the two-thirds vote required for bills with an emergency clause attached. The emergency clause would make the law operative at once, whereas without it the law would not go into effect until July 1, 1908. The bill received the necessary majority required of ordinary bills and a fine legal question is presented, whether the bill must fall as a whole with the emergency clause.

The legislature remained in a state of suspended animation for several weeks, adjourning from day to day, finally taking a recess until January 14, 1908. At that time the primary election matter will be taken up and it is expected that some kind of a primary law will be speedily enacted.

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